

WASTE 2 RESOURCES ADVISORY COMMITTEE

** MEETING SUMMARY **

September 6, 2011, 9:30 a.m.

Dean Large, Committee Chair, called the meeting to order at 9:30 a.m., and introductions were made. Laurie Davies recognized Steve Wamback for all of his years of service to the advisory committee. Thank you, Steve!

Dean asked for a motion to approve the May 17 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

Budget Update - Laurie Davies

Contact: 360-407-6103, Laurie.Davies@ecy.wa.gov

The Waste 2 Resources (W2R) Program took a big cut: \$7 million in WRRLCA. A budget proviso placed limitations on W2R's work, specifically:

“(5) The department may not spend waste reduction, recycling, and litter control account funds to support the following activities: The beyond waste plan, work on national solid waste recycling issues, work on construction and demolition recycling and green building alternatives, education programs including the green schools initiative, and management of the 1-800-recycle hotline and database on school awards. Waste reduction, recycling, and litter account control funds must be prioritized to support litter pickup using correctional crews, regulatory programs, and technical assistance to local governments.”

Laurie shared information on FTE reductions in the W2R Program, including the positions and their functions. See Laurie's handout posted on W2RAC's website. If the Toxics Account declines, the W2R Program will likely see layoffs.

We were asked to do a 15 percent budget cut exercise in anticipation of continued budget woes. We aren't expecting a rosy economic forecast. There is rumor of a special legislative session to address budget issues, but since gaps in the budget vary statewide, it may not make sense. Agencies may be left to manage budget shortfalls individually.

Jan Gee gave some background on the WRRLCA Account and how she tried to persuade the Legislature to not take an excessive amount from it. She felt other W2RAC members should have supported her efforts.

Suellen Mele said she found out very late about the proviso, but did write a letter to the Governor requesting a veto. Suellen suggested if something similar surfaces in the future, to get the word out quicker to the group so they can assist. Dean said the W2R Program has been unfairly attacked – more so than others.

Results of Pierce Co. Health Department's Closed and Abandoned Landfill Study – John Sherman
Contact: 253-798-6528; jsherman@tpchd.org

John explained that Pierce County Health Department realized they were losing institutional knowledge on closed and abandoned landfills, so they decided to assemble information into a report. It includes more than 60 sites across the county.

John showed the group a map of locations of closed landfills in Pierce County. The Tacoma-Pierce County Closed Landfill Report is posted on W2RAC's website.

Andy Comstock talked about -351 and -304 landfills closed in the last 10-15 years. Some have posed hazards, such as the Puyallup/Sumner landfill, which is still being monitored.

When asked if water quality monitoring is done, Andy explained it is intermittent – there is limited monitoring where there is no public water (wells).

Other counties could replicate this report by assembling information they have in their files. John said he would be happy to share templates Pierce County has with others.

70.95 Priorities – Janine Bogar
Contact: 360-407-6654; Janine.Bogar@ecv.wa.gov

Janine reviewed the prioritization survey results with the group. See the Prioritization Results document posted on W2RAC's website. Based on the survey results, the Solid Waste Laws Update Team will focus on 25 subthemes from 7 of the 11 themes as they move into the Solutions Phase. In most cases, these were selected based on priorities for both stakeholders and staff. Of the 25 selected subthemes, 16 were shared priorities among staff and external stakeholders. The majority of the other subthemes were definitions important to external stakeholders.

The Update Team saw a need to narrow the list because the work can't be done all at once. We have limited resources, not all issues are best addressed by statute, and others are already working on some of the issues.

Items deferred include infrastructure materials management, government walk the talk (EPP), measurement, and toxics. If we have the opportunity to focus on items on the deferred list, we will, but for now we are focusing on the shorter, narrowed list.

Janine thanked everyone who completed the prioritization survey for doing so.

The solutions phase is next. We will send a document to the listserv that will include subthemes and possible solutions, and solicit feedback. We will work with stakeholders to narrow down ideas we receive, and will likely conduct another survey.

Regarding the “universe for outreach/communication,” Janine explained how the listserv started and that we will keep building on it.

Sego Jackson said that organic material capacity is insufficient – we’re at the crisis stage. He is surprised at how it ranked on the priority list. Janine said it was a higher priority for staff than stakeholders.

Laurie Davies pointed out that the -350 revision was put on hold by Executive Order, which may continue. The only exemption we got was the compost/organics rule.

Jody Snyder asked about diversity of survey responses. Janine said responses from local government were a big chunk, but fairly well spread out among health departments, etc. Janine said she can add survey response origination information to the summary report.

Suellen Mele asked about a component of the decision making process. Is there a provision for problem resolution by statute change, or some other mechanism? Janine said as we gather possible solutions, we may find some issues are broader that could be addressed in ways other than statute change.

Jody asked if an issue is on the deferred list, if that means it will never be dealt with, e.g. sham recycling. Janine said items on the deferred list won’t be addressed now, but we may focus on them later or see if there are other means to address them than 70.95.

Steve Wamback said as the prioritization document expands it should be clear that items deferred are only delayed. We don’t want to give the Legislature the impression that they aren’t priorities. Regarding some of the phrasing of subthemes, most state a problem, but some state solutions. For example, lack of EPR is a problem and a solution.

Suellen asked when the Governor will make a decision on continuing the rules moratorium. Laurie said the Governor commented at a cabinet meeting that she would extend it. We’ll see what happens.

Compost Rule Update – Chery Sullivan
Contact: 360-407-6915, Chery.Sullivan@ecy.wa.gov

Chery explained that we identified issues and collated them into a couple of main points that we took to stakeholders in March 2011. These include addressing odor issues; feedstock and other definitions; prescriptive and performance based language; exemptions; and finished compost management.

After the release of draft rule language this winter (2011-12), we will work with stakeholders to refine the draft rule language, and address issues and concerns. We hope to have final draft rule language in spring 2012.

Kimberly Shanley asked if we are moving away from performance standards. Chery said we are not touching performance standards (WAC 173-350-040). We are still talking about *performance based language* and the role it plays in the compost rule.

- An example of *performance based* language is “*Finished compost must meet pathogen reduction requirements of < 1,000 most probable number of fecal coliform per gram of total solids.*”
- An example of *prescriptive* language is “*Finished compost must have been processed in a pathogen reduction manner to reach temperatures between 130°F and 165°F for fifteen days with a minimum of five turns, to meet pathogen reduction requirements of < 1,000 most probable number of fecal coliform per gram of total solids.*”

Jan Gee asked what impact this would have on grocers, e.g. if they would need to sort food differently. Chery said grocers already adjust to local conditions.

EPA ’ s New Sustainable Materials Management Program – Lisa McArthur
Contact: mcArthur.lisa@epa.gov

Lisa gave the group a PowerPoint presentation called *Creating an EPA Sustainable Materials Management Program* (posted on W2RAC website). EPA is creating the program in response to the current rate we are using resources, which is “*unsustainable and threatens the environment, future prosperity and quality of life.*” There is a connection to climate change. The program is in its beginning stages. W2RAC was also provided information on efforts toward sustainable food management.

EPA wants a name from Laurie Davies they could interview about the Beyond Waste Plan. EPA would also like input on potential partners, technical tools, and case studies.

Dean Large said EPA should consider coming to a future W2RAC meeting for further discussion. There is synergy on issues we can work on together.

Agenda Items for Future Meetings

- Update from EPA Region 10 on Solid Waste Issues on Tribal Lands – Fran Stesan, November 2011
- CPG Applications – Shelly McMurphy, November 2011
- Presentation on Public Participation Grants - Jason Alberich, November 2011

- Commingling Workgroup Update – Shannon McClelland, November 2011
- Recycling Discussion – November 2011
- EPA’s New Sustainable Materials Management Program – Issues We Can Work on Together
– Lisa McArthur, TBD

Meeting adjourned at 12 p.m.

Submitted by: Susanne McLemore